PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORTS

(PCT Article 36 and Rule 70)

11 AUG 2004

			WIPO PCT				
Applicant's or agent's file reference 10326.204,-WO	f Transmittal of International ination Report (Form PCT/IPEA/416)						
International application No. PCT/DK 03/00535	International filing date (daylmoi 12.08.2003	• •	Priority date <i>(day/month/year)</i> 4.08.2002				
International Patent Classification (IPC) or both national classification and IPC A23K1/10							
Applicant NOVOZYMES A/S et al.							
This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.							
2. This REPORT consists of a total of	2. This REPORT consists of a total of 4 sheets, including this cover sheet.						
been amended and are the l (see Rule 70.16 and Section	This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).						
These annexes consist of a total of	These annexes consist of a total of sheets.						
IV	opinion with regard to novelty, ion under Rule 66.2(a)(ii) with rega ions supporting such statemen	ard to novelty, inve	l industrial applicability ntive step or industrial applicability;				
Date of submission of the demand	Date	of completion of this	героп				
26.02.2004	10.0	3.2004					
Name and mailing address of the international preliminary examining authority: Authorized Officer							
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Vernier, F							
Fax: +49 89 2399 - 4465		hone No. +49 89 239	99-8646				

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DK 03/00535

l. E	3asis	of the	report
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1. With regard to the **elements** of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)):

	Desc	cription, Pages						
	1-13		as originally filed					
	Clai	aims, Numbers						
1-18			as originally filed					
2.	With lang	regard to the langua uage in which the inte	regard to the language , all the elements marked above were available or furnished to this Authority in the age in which the international application was filed, unless otherwise indicated under this item.					
	The	These elements were available or furnished to this Authority in the following language: , which is:						
		the international search (under Bule 23.1(b)).						
			cation of the international application (under Rule 48.3(b)).					
		the language of a train Rule 55.2 and/or 55.3	nslation furnished for the purposes of international preliminary examination (under					
3.	With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:							
		contained in the inter	national application in written form.					
		filed together with the	e international application in computer readable form.					
		furnished subsequen	tly to this Authority in written form.					
		furnished subsequen	tly to this Authority in computer readable form.					
		in the international a	ne subsequently furnished written sequence listing does not go beyond the disclosure pplication as filed has been furnished.					
		The statement that the listing has been furnit	ne information recorded in computer readable form is identical to the written sequence ished.					
4.	The	amendments have re	esulted in the cancellation of:					
		the description,	pages:					
		the claims,	Nos.:					
		the drawings,	sheets:					
5	. 🗆	This report has been been considered to	n established as if (some of) the amendments had not been made, since they have go beyond the disclosure as filed (Rule 70.2(c)).					
		(Any replacement sh report.)	heet containing such amendments must be referred to under item 1 and annexed to this					
6	. Ad	ditional observations,	if necessary:					



International application No.

PCT/DK 03/00535

- V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- 1. Statement

Novelty (N)

Yes: Claims

1-18

No: Claims

No:

Inventive step (IS)

Yes: Claims No: Claims 1-18

Industrial applicability (IA)

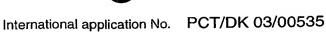
Yes: Claims

Claims

1-18

2. Citations and explanations

see separate sheet



Item V

1. The following documents are considered:

D1: US-A-3 578 461 D2: US-A-4 473 589

- 2. The subject-matter of present independant claims differs from the cited prior art, in that it discloses a feed composition obtained from hydrolysing **fish meat** (different from D1, which discloses non-edible materials) with a neutral protease **and** an alkaline protease (different from D2, which only disclose a high alkaline protease in the digestion of whole fish; other examples cover non-edible materials). Thus, the subject-matter of claims 1-18 meets the novelty requirements (Article 33(2) PCT).
- 3. In view of the technical problem to be solved (to provide an alternative feed composition comprising fish protein hydrolysate) and its unexpected solution (the hydrolysis with both a neutral protease and an alkaline protease), the subject-matter of claims 1-18 can be regarded as involving an inventive step (Article 33(3) PCT) over the closest prior art D2 (example II: no neutral protease).
- 4. The subject-matter of present claims 1-18 meet the requirements of Article 33(4) PCT, since it is applicable in the feed industry.
- Contrary to the requirements of Rule 5.1(a)(ii) PCT, the documents D1-D2 have not been identified in the description and the relevant background art disclosed therein has not been briefly discussed.